

### **REMARKS**

With this amendment, claim 19 has been canceled. Claim 21 has been amended to incorporate the subject matter of canceled claim 19 and to further clarify the subject matter being claimed. Claim 20 has been amended to further clarify the subject matter being claimed. Claim 22 has been added and is supported by, at least, Figures 1 and 3 and pgs. 9-11 of the specification. The Applicant has carefully and thoughtfully considered the Office Action and the comments therein. For the reasons given below, it is submitted that this application is in condition for allowance.

#### **Rejections under 35 U.S.C. § 103**

On pages 2-9, the Action rejects claims 2-16, 19, and 21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0003525 to Ebina et al. (hereinafter Ebina) in view of U.S. Patent No. 6,751,213 to Sun et al. (hereinafter Sun). Applicants respectfully traverse these rejections.

With respect to claim 21, Applicants respectfully submit that Ebina in view of Sun does not teach or suggest all of the elements of claim 21, as will be shown, for at least the following four reasons.

First, Ebina and Sun cannot be combined to disclose “a plurality of processors which perform predetermined parallel processing cooperatively,” as recited in claim 1. Instead, Ebina and Sun teach away from the combination asserted by the Action. For example, Ebina and Sun teach different types of structures for the communication between nodes, and hence teach away from each other. In particular, Ebina teaches a control system and broadcasting control method for an Asynchronous Transfer Mode ring network which facilitates the transmission of a user cell, sequentially, to nodes in the ring network. Ebina, paragraphs [0001] and [0017]-[0019]. In contrast, Sun teaches a network in which nodes are connected to a shared channel and do not need to transmit data in a set order (e.g. a ring network) which it views as being inefficient. Sun, col 3, l. 43-49 and Figure 1. **Thus, Ebina, which is specifically designed to operate in a ring network, teaches away from Sun, which specifically teaches away from a ring network,**

Second, Ebina does not disclose a “communication device” in which “cell distributors receive communication cells from said internal communication path and output said

communication cells onto said internal communication path when the destination of said received communication cells is not to the corresponding processor,” as recited in claim 21. Ebina teaches a control system and broadcasting control method for an Asynchronous Transfer Mode ring network which facilitates the transmission of a user cell, sequentially, to nodes in the ring network. Ebina, paragraphs [0001] and [0017]-[0019]. Thus, the user cell in Ebina has no choice but to proceed to the next node in the ring network, regardless of any destination the user cell may have. Thus, Ebina does not teach “communication device” in which “cell distributors receive communication cells from said internal communication path and output said communication cells onto said internal communication path when the destination of said received communication cells is not to the corresponding processor,” as recited in claim 1.

In addition, Sun fails to overcome the deficiencies of Ebina. Sun discloses using tokens to control the flow of information between nodes on a shared channel so that bandwidth is not wasted. Sun, Col. 2, l. 20-25. Specifically, Sun teaches connecting nodes to a share channel where they may listen to and/or receive information at any time, but may not transmit data unless they have permission. Sun, Col. 2, l. 25-36. Sun, therefore, discloses nodes that receive information addressed to them but ignore information that is not addressed to them. Thus Sun does not disclose a “communication device” in which “cell distributors receive communication cells from said internal communication path and output said communication cells onto said internal communication path when the destination of said received communication cells is not to the corresponding processor,” as recited in claim 21. Sun, therefore, does not overcome the deficiencies of Ebina for at least this reason.

Third, Ebina does not disclose “a communication control device” which “processes said communication cells received from [a] first external communication path and transmits the communication cells to [a] second external communication path,” as recited in claim 1. Instead, Ebina teaches a control system and broadcasting control method for an Asynchronous Transfer Mode ring network which facilitates the transmission of a user cell, sequentially, to nodes in a ring network. Ebina, paragraphs [0001] and [0017]-[0019]. The nodes are connected to one another in the ring network via upstream and downstream transmission lines 101 and 102. Ebina, Figure 1. The ring network Ebina, depicted in Figure 1 with nodes 1-1 through 1-n, is a closed loop ring network which has an internal communication pathway, comprised of at least

upstream and downstream transmission lines 101 and 102, but does not have an external communication pathway. In addition, Sun fails to overcome the deficiencies of Ebina.

Fourth, according to the Office Action's interpretation of Ebina, Ebina does not disclose "an internal communication path which connects said cell distributors, said selectors, said plurality of processors, a first external communication path, and a second external communication path," as recited in claim 21. In rejecting claim 21 on page 2, the Office Action did not specifically align an element of Ebina with the internal communication path of claim 21. However Applicants will assume, *arguendo*, the Office Action intended to align the internal communication path of claim 21 with the arrows connecting elements 11-14 in Figure 2. With respect to the cell distributors, the Office Action inconsistently aligns the cell distributors of claim 21 with both ATM switch 11 and the user cell receiving section 12 of Ebina (please see the second to last paragraph on pg. 2 vs. the last sentence of pg. 2 of the Office Action). With respect to the selectors of claim 21, the Office Action inconsistently aligns the selectors of claim 21 with both the micro processing unit 14 and the user cell transmitting section 13 of Ebina (please see the second to last paragraph on pg. 2 vs. the last sentence of pg. 2 of the action). With respect to the plurality of processors in claim 21, the Office Action did not specifically align an element of Ebina with the plurality of processors of claim 21. For the purposes of this response, Applicants will not specifically address which element(s) of Ebina do or do not disclose cell distributors, selectors, or processors. Applicants will await a clarification on this matter. Finally, the Office Action aligns a first external path and a second external path of Claim 21 with the upstream and downstream transmission lines 101 and 102 of Ebina.

Thus, assuming, *arguendo*, that the upstream and downstream transmission lines 101 and 102 of Ebina disclose a first external path and a second external path; that the arrows connecting elements 11-14 in Figure 2 disclose an internal communication path; and that Ebina discloses cell distributors, selectors, or processors containing; Ebina does not disclose "a first external communication path, and a second external communication path" as recited in claim 21. In contrast, Ebina discloses a device in which several nodes, connected in series via transmission lines, form a ring network. Ebina, paragraphs [0017] and [0020] and FIG. 1. A control cell, containing control information, is transmitted by ATM (Asynchronous Transfer Mode) between the plurality of nodes connected into a ring shape. Ebina, paragraph [0009]. Each individual

node contains an ATM switch, a receiving means, a transmitting means, and a line control MPU however each individual node is connected via upstream and downstream transmission lines 101 and 102. Ebina, paragraphs [0017] and [0020] and Figure 2.

In contrast, claim 21 recites “an internal communication path which connects said cell distributors, said selectors, a first external communication path, and a second external communication path,” Thus Ebina does not disclose “an internal communication path which connects said cell distributors, said selectors, said plurality of processors, a first external communication path, and a second external communication path,” as recited in claim 21. Instead Ebina discloses an internal network that connects only one cell distributor, one selectors, and one processor as opposed to the plurality of cell distributors, selectors, and processors in claim 21. Thus, Ebina does not disclose “an internal communication path which connects said cell distributors, said selectors, said plurality of processors, a first external communication path, and a second external communication path,” as recited in claim 21. In addition, Sun fails to overcome the deficiencies of Ebina.

For at least the reasons set forth above, Applicants believe that claim 21 is allowable and respectfully request that the above rejection of claim 21 be withdrawn and that claim 21 be allowed. Dependent claims 2-18 and 20 are believed to be allowable, at least, for being dependent from an allowable claim. Therefore, Applicants respectfully request that the above rejection of claims 2-18, 20, and 21 be withdrawn and that claims 2-18, 20, and 21 be allowed.

#### ***Added Claims***

Claim 22 has been added and is supported in the specification at, for example, Figures 1 and 3 and pgs. 9-11. Claim 22 contains material that is similar to claim 21 and is therefore allowable for the same reasons. Therefore, Applicants respectfully request that claim 22 be allowed.

#### ***Conclusion***

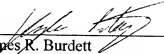
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn.

Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Dated: 6/17/08

By   
James R. Burdett  
Registration No.: 31,594  
Kyle D. Petaja  
Registration No. 60,309  
VENABLE LLP  
P.O. Box 34385  
Washington, DC 20043-9998  
(202) 344-4000  
(202) 344-8300 (Fax)  
Attorney/Agent For Applicant

#962128